

habeas petitioners with nonfrivolous claims, a district court should consider the legal complexity of the case, the factual complexity of the case, the petitioner's ability to investigate and present his claim, and any other relevant factors." *Abdulla v. Norris*, 18 F.3d 571, 573 (8th Cir. 1994).

After considering Petitioner's second motion for appointment of counsel in view of the relevant factors, the Court finds that the facts and legal issues presented in the instant case are not so complex as to warrant the appointment of counsel at this time. In addition, the pleadings filed by Troy Callahan indicate that he is capable of presenting the facts and legal issues without the assistance of counsel. Petitioner's second motion for appointment of counsel will therefore be denied.

Accordingly,

IT IS HEREBY ORDERED that Petitioner's second motion for appointment of counsel (ECF No. 10) is **DENIED without prejudice**.

Dated this 29th day of October, 2024.



RODNEY H. HOLMES
UNITED STATES MAGISTRATE JUDGE